

DEC 20 2004

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE2632  
JRW

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

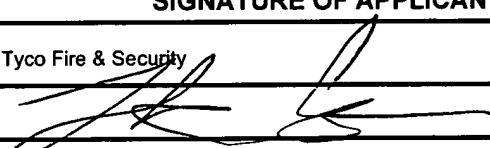
Total Number of Pages in This Submission

|                        |                  |
|------------------------|------------------|
| Application Number     | 10/698,883       |
| Filing Date            | October 31, 2003 |
| First Named Inventor   | David B. Fallin  |
| Art Unit               | 2632             |
| Examiner Name          | Nguyen, Tai T.   |
| Attorney Docket Number | C4-1163          |

### ENCLOSURES (Check all that apply)

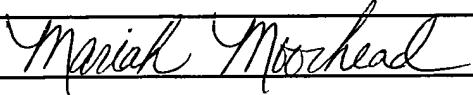
|                                                                           |                                                                           |                                                                                         |
|---------------------------------------------------------------------------|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| <input type="checkbox"/> Fee Transmittal Form                             | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance Communication to TC                            |
| <input type="checkbox"/> Fee Attached                                     | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input checked="" type="checkbox"/> Amendment/Reply                       | <input type="checkbox"/> Petition                                         | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final                                      | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information                                        |
| <input type="checkbox"/> Affidavits/declaration(s)                        | <input type="checkbox"/> Power of Attorney, Revocation                    | <input type="checkbox"/> Status Letter                                                  |
| <input type="checkbox"/> Extension of Time Request                        | <input type="checkbox"/> Change of Correspondence Address                 | <input type="checkbox"/> Other Enclosure(s) (please identify below):                    |
| <input type="checkbox"/> Express Abandonment Request                      | <input type="checkbox"/> Terminal Disclaimer                              |                                                                                         |
| <input type="checkbox"/> Information Disclosure Statement                 | <input type="checkbox"/> Request for Refund                               |                                                                                         |
| <input type="checkbox"/> Certified Copy of Priority Document(s)           | <input type="checkbox"/> CD, Number of CD(s) _____                        |                                                                                         |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application   | <input type="checkbox"/> Landscape Table on CD                            |                                                                                         |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 |                                                                           |                                                                                         |
| Remarks                                                                   |                                                                           |                                                                                         |
| CUSTOMER CODE 26799                                                       |                                                                           |                                                                                         |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |                                                                                     |          |        |
|--------------|-------------------------------------------------------------------------------------|----------|--------|
| Firm Name    | Tyco Fire & Security                                                                |          |        |
| Signature    |  |          |        |
| Printed name | Frank A. Cona                                                                       |          |        |
| Date         | December 16, 2004                                                                   | Reg. No. | 38,412 |

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

|                       |                                                                                     |
|-----------------------|-------------------------------------------------------------------------------------|
| Signature             |  |
| Typed or printed name | Mariah Moorhead                                                                     |
| Date                  | December 16, 2004                                                                   |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

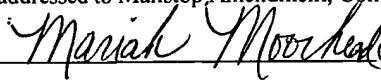
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING UNDER 37 CFR §1.8

I hereby certify that the documents referenced herein are being deposited with the United States Postal Service, as First Class Mail, addressed to Mailstop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 16, 2004.

 (Depositor's Signature)

Mariah Moorhead

(Depositor's Name)

In re Appln of: Fallin, et al.

**Customer Code No.: 26799**

Serial No.: 10/698,883

Art Unit: 2632

Filing Date: October 31, 2003

Examiner: Nguyen, Tai T.

Title: INTEGRATED ELECTRONIC ARTICLE SURVEILLANCE (EAS) AND POINT  
OF SALE (POS) SYSTEM AND METHOD

Date: December 16, 2004

Mailstop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO RESTRICTION REQUIREMENT**

In response to the Restriction Requirement mailed December 7, 2004, Applicants hereby make the following election:

Applicants elect the claims of Group I (claims 1-12 and 22-44, drawn to a method for integrating POS data with EAS data, classified in class 340, subclass 572.1.

Applicants reserve the right to pursue the non-elected claims in a divisional application prior to issuance of a patent on the instant application.

If any additional issues arise which the Examiner believes would be best resolved by a telephone interview, he is invited to contact the undersigned attorney at the number given below.

The Commissioner is authorized to charge any fees or credit any overpayment to Deposit Account No. 19-1346. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Frank A. Cona  
Reg. No. 38,412

**MAILING ADDRESS:**

Tyco Fire & Security Services  
One Town Center Road  
Boca Raton, Florida 33486  
561-981-4366 (phone)  
561-988-7843 (fax)